

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MYKAYLA FAGNANI, on behalf of  
herself and all other persons similarly  
situated,

Plaintiff,

-v.-

AVIATOR NATION, INC.,

Defendant.

25 Civ. 1569 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

By letter dated May 28, 2025, the parties reported to the Court that they have reached a settlement in principle in this case. (Dkt. #7). Accordingly, it is hereby:

ORDERED that this action be dismissed and discontinued without prejudice and without costs. Within sixty (60) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order, or, Plaintiff may apply by letter motion to reopen the action in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. If Plaintiff fails to file an application to reopen by the

aforementioned deadline, untimely applications may be denied solely on that basis.

This Order shall be deemed a final dismissal and discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 60-day period.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: May 29, 2025  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge